FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITIONS NO. 6164 OF 2005

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

CORAM : B.P.DHARMADHIKARI, J.
DATED : MARCH 01, 2007

After hearing the parties on last occasion, this court felt that imposing cost and expediting the appeal can help the cause of justice. The matter was adjourned at the request of Advocate Shri Ambilwade and the petitioner has on 28/2/2007 has filed an affidavit. However, in affidavit, he is seeking time of three months to deposit cost of Rs. 2000/- and also to supply private paper book. These statements are opposed by Advocate Shri Paunikar. After some hearing, it is agreed between the parties that the petitioner will pay cost of Rs. 2000/- within one month before the lower appellate court and shall arrange to file private paper book within two months. If the cost are so deposited within one month from today, delay in filing appeal shall stand condoned and subject to such deposit,

order dated 14/10/2004 in M.C.A.No. 396 of 2003 is hereby quashed and set aside. M.C.A.No. 396 of 2003 is accordingly allowed.

The court below to proceed to register the appeal after cost is deposited. If within one month thereafter, the private paper book is filed, the court below to proceed further to decide the appeal on merits within further period of four months. If the private paper book is not filed accordingly within said period, the court below to dismiss the appeal for failure to prosecute.

Subject to this, delay in filing appeal is condoned. Writ petition is disposed of. Rule accordingly. No cost.

JUDGE

Diwale